

Shiloh S. Hernandez
Earthjustice
313 East Main Street
P.O. Box 4743
Bozeman, MT 59772-4743
(406) 586-9649
shernandez@earthjustice.org

Melissa A. Hornbein
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
(406) 204-4861
hornbein@westernlaw.org

Attorneys for Plaintiffs

Nathaniel Shoaff (*pro hac vice*)
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612
(415) 977-5610
nathaniel.shoaff@sierraclub.org

Attorney for Plaintiff Sierra Club

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF
RESOURCE COUNCILS et al.,

Plaintiffs,

vs.

UNITED STATES BUREAU OF
LAND MANAGEMENT,

Defendant,

and

STATE OF WYOMING,

Intervenor-Defendant.

Case No. 4:20-cv-00076-BMM

**JOINT MOTION FOR STAY
PENDING SETTLEMENT
NEGOTIATIONS ON COSTS AND
ATTORNEYS' FEES**

Plaintiffs and Federal Defendant have conferred and agreed to seek a stay of briefing related to Plaintiffs' motion for costs and attorneys' fees (ECF No. 80) for 90 days to allow them to attempt to negotiate a settlement. Plaintiffs have submitted their motion for costs and fees contemporaneously with this motion. This request for a stay is being sought to give the parties time and opportunity to explore settlement, which, if successful, would obviate the need for additional briefing or involvement from this Court.

On or before the expiration of the 90-day stay period, the parties will: (1) request a reasonable extension of the period to continue negotiations; (2) inform the Court that a settlement has been reached; or (3) inform the court that a settlement could not be reached and propose a briefing schedule for resolving Plaintiffs' motion. Any such briefing schedule would include reasonable deadlines for Plaintiffs to file an updated motion, Federal Defendant's response, and Plaintiffs' reply.

Respectfully submitted this 23rd day of December, 2022.

Melissa A. Hornbein
Melissa A. Hornbein
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
(406) 204-4861
hornbein@westernlaw.org

Shiloh S. Hernandez
Earthjustice

313 East Main Street
P.O. Box 4743
Bozeman, MT 59772-4743
(406) 586-9649
shernandez@earthjustice.org

Attorneys for Plaintiffs

TODD KIM
Assistant Attorney General
Environment & Natural Resources Division

ARWYN CARROLL (MA Bar 675926)
Trial Attorney, Natural Resources Section
United States Department of Justice
Environment and Natural Resources Div.
P.O. Box 7611
Washington, D.C. 20044-7611
Phone: 202-305-0465
Fax: 202-305-0506
arwyn.carroll@usdoj.gov

/s/ Luther L. Hajek

LUTHER L. HAJEK (CO Bar 44303)
Trial Attorney, Natural Resources Section
United States Department of Justice
Environment and Natural Resources Div.
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Phone: (303) 844-1376
Fax: (303) 844-1350
luke.hajek@usdoj.gov

JESSE LASLOVICH
United States Attorney

MARK STEGER SMITH
Assistant U.S. Attorney
U.S. Attorney's Office
2601 Second Avenue North, Suite 3200

Billings, MT 59101
Phone: (406) 247-4667
Fax: (406) 657-6058
mark.smith3@usdoj.gov

Counsel for Federal Defendant